IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the application of:	)	
Said, et al.	)	
	)	Borsetti, Greg
Serial No. 10/686,127	)	
	)	Art Unit 2626
Filing Date: October 15, 2003	)	
	)	Date: May 16, 2009
UNIVERSAL PROCESSING SYSTEM	)	
AND METHODS FOR PRODUCTION	)	
OF OUTPUTS ACCESSIBLE BY	)	
PEOPLE WITH DISABILITIES	)	

MAIL STOP Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANT'S REPLY BRIEF

Sir:

Responsive to the Examiner's Answer dated March 17, 2009, Appellants hereby submit this Reply Brief.

STATUS OF CLAIMS

Pending: Claims 1-4, 6-12 and 14-22

Canceled: 5 and 13

Allowed: None

Rejected: Claims 1-4, 6-12 and 14-22

Appealed: Claims 1-4, 6-12 and 14-22

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Claims 1-4, 6-12 and 14-22

Claims 1-4, 6-12 and 14-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,748,974 (Johnson) in view of W3C ("Natural Language Semantics Markup Language for the Speech Interface Framework" 2000).

ARGUMENT

Appellants offer replies hereinbelow to the following paragraphs of the Examiner's **(10) Response to Argument**, which begins of page 15 of the Examiner's Answer of March 17, 2009. Appellants submit that their previously submitted Appeal Brief adequately represents Appellants' positions with regard to the other paragraphs of the Examiner's **(10) Response to Argument**, and thus these other paragraphs are not replied to below.

Paragraph 6 on Page 19 of Examiner's Answer (Claim 3)

The Examiner states that "touch-input ... teaches gesturing." "Gesture" is defined as an "act of moving the limbs or body as an expression of thought or emphasis." (The American Heritage Dictionary of the English Language, Fourth Edition). Appellants submit, however, that providing an input through touch does not fairly suggest gesturing as it is commonly defined, and especially not within the context of the present specification. For example, paragraph [0014] of the present publication states that the user may enter information by "gesturing (sign language)". Thus, the present publication effectively defines gesturing as "sign language". Providing an input through touch as in Johnson does not fairly suggest sign language or gesturing as recited by claim 3.

Paragraph 7 on Page 19 of Examiner's Answer (Claim 6)

The Examiner cites Column 3 lines 49-54 of Johnson as teaching "that non-speech information is used to input a command." Appellants submit, however, that this passage of Johnson is directed to only types of channels or media by which input is entered, and says nothing about the type of information that forms the input. That is, Johnson does not suggest that the content of the input is semantic information or any type of non-verbal information. Johnson mentions "non-speech input", but this refers to non-audio types of input channels, such as keyboard 24 (line 50) which may be able to enter verbal information such as text. The only examples of information Johnson mentions is "Find address", which is verbal information rather than non-verbal semantic information as required by claim 6.

Paragraph 8 on Page 19 of Examiner's Answer (Claim 7)

The Examiner cites the pasting of text in Johnson as disclosing that an entering step includes formatting and structure for text. However, the pasting in Johnson is performed by the system (response generator 54) and is not related to entering inputs by a user, as required by claim 7.

Paragraph 9 on Page 19 of Examiner's Answer (Claim 8)

The Examiner cites Fig. 5 and column 5, lines 23-47 of Johnson. However, nowhere does Johnson suggest using automatic speech recognition on both a first input of verbal information and a second input of non-verbal information, as required by claim 8. Johnson is completely silent about both user input I_1 and item-in-focus I_2 being spoken inputs (including both verbal and non-verbal information) that could be subject to automatic speech recognition. Moreover, the only examples Johnson provides of the two inputs are verbal (e.g., Joe Smith's name, "Find Address", "Phone"), and no mention is made of either input including non-verbal information, as recited by claim 8.

Paragraph 10 on Page 19 of Examiner's Answer (Claim 9)

The Examiner cites Johnson as disclosing that the user input may be any modality. However, Appellants submit that "any modality" does not fairly disclose or suggest sign language recognition, as required by claim 9. Moreover, as discussed in the paragraph immediately with regard to claim 8, Johnson is completely silent as to an input including non-verbal information, as recited by claim 8. Thus, Johnson does not suggest using sign language recognition on inputs including both verbal and non-verbal information, as also required by claim 9.

Paragraph 11 on Page 20 of Examiner's Answer (Claim 19)

Johnson is completely silent as to entering a first input of verbal information and a second information of non-verbal information via a **same medium** (such as sign language recognition), as required by claim 19. The Examiner is arguing that Johnson discloses entering inputs by a same type of medium. That is, the Examiner argues that inputs may be entered via typing, handwriting, a mouse and a touch screen, and that these are all a visual type of media. However, claim 19 requires that the inputs being entered by a **same** medium, and not just a same type of medium.

Paragraph 14 on Page 21 of Examiner's Answer (Claim 21)

Claim 21 depends from claim 19 discussed immediately above and further recites that the same medium is automatic speech recognition. Thus, claim 21 requires that verbal and non-verbal information both be entered via automatic speech recognition. The Examiner cites Johnson as disclosing "multimodal input", but Appellants do not understand how multimodal (more than one mode) suggests use of the single mode of automatic speech recognition, as required by claim 21. Moreover, contrary to the Examiner's claim, column 5, lines 54-67 of Johnson mentions only verbal information (i.e., text, although the text may be entered via the non-speech input of typing) and does not mention non-verbal information as also required by claim 21.

Paragraph 15 on Page 21 of Examiner's Answer (Claim 22)

Claim 22 depends from claim 19 discussed immediately above and further recites that the same medium is sign language recognition. Thus, claim 21 requires that verbal and non-verbal information both be entered via sign language recognition. The cited passage of Johnson suggests neither sign language recognition nor entering both verbal and non-verbal information via sign language recognition.

CONCLUSION

In view of the remarks above, Appellants respectfully submit that the present invention is in condition for allowance and respectfully request the Honorable Board of Appeals to reverse the Examiner's rejections from the Final Office Action.

Respectfully submitted,

/Keith J. Swedo/ *May 15, 2009*

Keith J. Swedo, Reg. No. 43,176
Attorney for Appellants
Taft Stettinius & Hollister LLP
One Indiana Square
Suite 3500
Indianapolis, Indiana 46204-2023
Phone: (317) 713-3500
Fax: (317) 713-3699